

be the duty of the board of commissioners for said county to appoint successor or successors.

Powers of commissions.

That the said commissions may, if need be, have power to contract for and buy such machineries, tools, and appliances as may be necessary, and may when they think best act together in this respect.

Power of entrance on lands.

SEC. 6. That said respective commissions, for the purpose of laying off, locating fixing specifications, letting contracts, and building or having built and constructed their respective sections of said road, shall have the right to enter in and upon the lands of any person or persons, and lay off their respective roads mentioned above, fix the width or widths, the amount of ground needed for road bed, excavations, drainage, proper construction, maintenance, etc., and assess to each owner the damages, if any, which damages, if any, shall be paid out of the taxes authorized aforesaid for the respective road; that after so laying off such road and assessing the damages the possession of said road until completion shall for the purpose hereof be in the said special commission for all the uses and purposes hereof; that the only appeal from the said commission or commissions shall be as to the amount; that if

Assessment and payment of damages.

Appeal.

Right of appeal.

any owner of land, or person having an interest or estate therein desires to appeal from the findings of the commission as to the amount of damages allowed to him or them, he or they may appeal to the board of commissioners of said county and from their order in the premises to the superior court of said county upon giving, within ten days after notice of the amount of damages allowed, a written notice of such desire to appeal to the commission laying off the road, stating the length and width of the proposed road over his land, and where it passes through his land, the amount of damages allowed, the amount of damages claimed, and any special or particular injury done or which would result therefrom, which notice shall be headed by the owner as plaintiff against such commission as defendant, an exact copy of which notice shall be filed within ten days, as aforesaid, with the register of deeds for said county, accompanied by an undertaking for the payment of costs, executed to the said defendant, special commissioners, justified and approved by the said register or clerk of the court of said county, in the sum of two hundred dollars, but never less than double the amount of damages claimed.

Employment of surveyors and road experts.

That any of said commissioners shall have the power to employ surveyor, engineers, and road experts as in their judgment they may need.

Taxes not levied if bonds issued.

SEC. 7. That if under any general law authorizing townships to issue bonds for the construction of roads, either of the townships mentioned in section one, three or four shall vote, issue, and sell bonds, on or by the first Monday in June of any of said years, for the purpose and in amount sufficient to build its part of the afore-